

Authorizing The Continuation Of Agricultural District No. 3 – Rondout Creek – Towns Of Hardenburgh, Marbletown, Olive, Rochester, Rosendale and Wawarsing – Department of Planning

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Maloney and Legislators Berky, Delaune, Lapp, Litts, Maio and Rodriguez),

Legislator Ronald G. Lapp, Jr. offers the following:

WHEREAS, NYS Department of Agriculture and Markets Law Section 303-a provides for the review of agricultural districts every 8 years after their creation, the time period established upon its creation; and

WHEREAS, Agricultural District No. 3 was created on December 14, 1973 with an 8 year review schedule with its last anniversary date in 2006; and

WHEREAS, the Ulster County Legislature passed Resolution #187, adopted July 17, 2012, which postponed the latest review date from December 14, 2013 to July 21, 2017; and

WHEREAS, the New York State Department of Agriculture and Markets approved the postponement of the review to July 21, 2017 requiring a 300 day review period that began September 24, 2016; and

WHEREAS, consistent with Agriculture and Markets Law Section 303-a, Ulster County published notice of 30-day period for modifications of the District; and

WHEREAS, the Ulster County Agricultural and Farmland Protection Board (AFBP) has met to consider the continuation of the District and has adopted the required report that recommends the continuation of Agricultural District No. 3, with modifications; and

WHEREAS, Ulster County has met its responsibilities under Agriculture and Markets Law regarding notice, reporting and holding of a public hearing; and

WHEREAS, the Ulster County Legislature has considered the recommendation of the AFPB contained in its report to the Legislature dated February 23, 2017 as on file with the Clerk of the Legislature; and

WHEREAS, there were no comments received at the public hearing held on March 22, 2017; and

WHEREAS, The Legislature, after circulation of the AFPB recommendation to affected landowners, has considered the AFPB recommendation; and

Resolution No. 276 June 20, 2017

**Authorizing The Continuation Of Agricultural District No. 3 –
Rondout Creek – Towns Of Hardenburgh, Marbletown, Olive,
Rochester, Rosendale and Wawarsing – Department of Planning**

WHEREAS, in accordance with both the provisions of the State Environmental Quality Review Act, 6 NYCRR Part 617 (SEQRA), and the County of Ulster’s SEQRA Type II List, adopted by Resolution No. 118 on April 20, 2010, the Ulster County Legislature has examined the proposed continuation of the District with proposed modification determined it to be an unlisted action; and

WHEREAS, no new lands are proposed to be added to the District and lands recommend for removal represent less than 0.5% of the total lands in the District, now, therefore, be it

RESOLVED, that the Ulster County Legislature finds the continuation of the District with modifications, will result in no significant adverse environmental impacts and that a Negative Declaration is hereby adopted under State Environmental Quality Review Act, 6 NYCRR Part 617 (SEQRA); and, be in further

RESOLVED, that the Ulster County Legislature hereby approves the continuation, with modifications, of Agricultural District No. 3 in the Towns of Hardenburgh, Marbletown, Olive, Rochester, Rosendale and Wawarsing in accordance with the recommendation of the AFPB as filed with the Clerk of Legislature as Agricultural District No. 3 Rondout Creek, Ulster County, with the next anniversary date of July 21, 2025, with the exception that the parcel with the section, block, and lot number 77.2-3-63.100 located at 784 County Route 6 in the Town of Rochester be removed from Agricultural District No. 3; and be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall submit this resolution, maps and reports as required to the Commissioner of New York State Department of Agriculture and Markets for consideration to determine if it is consistent with New York State environmental plan, policies and objectives and requesting certification of the modified District,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0

(Absent: Legislator Allen)

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Passed Committee: Economic Development, Tourism, Housing, Planning and Transit
on June 6, 2017

FINANCIAL IMPACT:
NONE

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 20th Day of June in the year Two Thousand and Seventeen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 22nd Day of June in the year Two Thousand and Seventeen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
22nd Day of June, 2017.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Approved by the County Executive this
28th Day of June, 2017.

|s| Michael P. Hein
Michael P. Hein, County Executive